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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/295,577 04/22/99 HALAVAIS

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TM02/0116

EXAMINER

NGUYEN, L

ART UNIT

PAPER NUMBER

2166

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/295,577

Applicant(s)

HALAVAIS ET AL.

Examiner

Leslie K. Nguyen

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 11, 16, 17, and 24-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11, 16, 17, and 24-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Detailed Action

1. Acknowledgement is made of the preliminary amendment filed 03 April 2000. Claims 7-10, 12-15, and 18-23 have been cancelled without prejudice. The amendment of claims 1-3, 6, 11, and 16 as well as the addition of claims 24-34 are also acknowledged.
2. Claims 1-6, 11, 16, 17, and 24-34 have been examined and are pending in the application.
3. The disclosure is objected to because of the following informalities: The claims do not commence on a separate sheet. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 6, 11, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 11, and 16 recite the limitation "a communication connection between the information server and the end user" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claims.

6. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "the communication connection between the information server and the end user" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-6, 11, 16, 17, 24, 26, 27, 29, 30, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huegel in U.S. Pat. No. 5,239,480.

As per claim 1, Huegel discloses a method comprising:

- communicating on demand, from an information server through a wide area network to a device connected to the wide area network, information from a database populated by a multiplicity of entries denoting availability for a venue (col. 6, lines 10-19);
- displaying the information such that an end-user connected to the wide area network can view the information on a client node unaffiliated with the server as an aid in determining a best then available conforming to a need of the end-user (col. 6, lines 56-62 and FIG. 3A);

- providing over the wide area network to the end-user the capability of interactively selecting one of a time, a space, and a seat of choice (col. 7, lines 3-15; col. 7, lines 38-42; col. 8, lines 9-20; FIG. 3A);
- accepting over the wide area network from the end user a payment for one of the time, the space, and the seat selection of choice (col. 9, line 50 – col. 10, line 15 and FIG. 3B); and
- returning over the wide area network to the end user verification of the successful completion of the payment (col. 9, line 50 – col. 10, line 15 and FIG. 3B).

The Examiner acknowledges that the self-service terminal of Huegel is not “a client node unaffiliated with the server.” However, the Examiner takes Official Notice and asserts that it is well known in the art to provide the same services of a self-service terminal on an unaffiliated computer connected to a network to an end user (checking the balance of a savings account via an on-line banking web site instead of at an automated teller machine). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 2, Huegel discloses a self-service ticket selection method as discussed above. Huegel further discloses that the space, the time, and the seat sought are for a theatre or theatre type setting (FIG. 1 and FIG. 3A).

As per claim 3, Huegel discloses a self-service ticket selection method as discussed above. Huegel further discloses that the space, the time, and the seat sought are for a stadium type setting (FIG. 1 and FIG. 3A).

As per claim 4, Huegel discloses a self-service ticket selection method as discussed above. Huegel does not disclose that the space or time or seat or seating sought is for an airplane or airliner. The Examiner takes Official Notice and asserts that it is well known to use ticket reservation systems to reserve airline tickets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since the end user is provided with greater functionality and purchasing capabilities.

As per claim 5, Huegel discloses a self-service ticket selection method as discussed above. Huegel does not disclose that the space or time or seat or seating sought is accommodations on a cruise ship. The Examiner takes Official Notice and asserts that it is well known to use ticket reservation systems to reserve accommodations on a cruise ship. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since the end user is provided with greater functionality and purchasing capabilities.

As per claim 6, Huegel discloses a self-service ticket selection method as discussed above. Huegel further discloses that a communication connection between the information server and the end user includes one of a wire, a cable, and a telephone line connection (FIG. 1).

As per claim 11, Huegel discloses a self-service ticket selection method as discussed above. Huegel does not disclose that a communication connection between the information server and the end user includes a satellite link. The Examiner takes Official Notice and asserts that it is well known to transmit data via satellite means rather than hardwired means. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 16, Huegel discloses a self-service ticket selection method as discussed above. Huegel does not disclose that a communication connection between the information server and the end user includes a wireless link. The Examiner takes Official Notice and asserts that it is well known to transmit data via wireless means rather than hardwired means. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 17, Huegel discloses a self-service ticket selection method as discussed above. Huegel does not disclose that the communication connection between the information server and the end user is wireless. The Examiner takes Official Notice and asserts that it is well known to transmit data via wireless means rather than hardwired means. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 24, Huegel disclose a method comprising:

- receiving at a server a request for a venue from at least one client node remote from and unaffiliated with the server (col. 6, lines 10-19);
- transmitting from the server an indication of specific availability responsive to the request, the indication of specific availability directed to the client node (col. 8, lines 9-20);

- receiving a specific indication of a client preference at the server (col. 9, lines 34-49);
and
- removing the client preference from any future indication of specific availability (col. 9, lines 34-49).

The Examiner acknowledges that the self-service terminal of Huegel is not “a client node unaffiliated with the server.” However, the Examiner takes Official Notice and asserts that it is well known in the art to provide the same services of a self-service terminal on an unaffiliated computer connected to a network to an end user (checking the balance of a savings account via an on-line banking web site instead of at an automated teller machine). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 26, Huegel discloses a self-service ticket selection method as addressed above. Huegel further discloses that the indication of specific availability includes a graphical representation of at least a portion of a seating chart for the venue, and wherein the graphical representation shows availability seats in a first representation and previously sold seats in a second representation (FIG. 4).

As per claim 27, Huegel discloses a self-service ticket selection method as addressed above. Huegel does not disclose that the indication of specific availability is transmitted as one of a hypertext markup language page and a JAVA applet. The Examiner takes Official Notice and asserts that it is well known to transfer and present data to an end user using a hypertext markup language page and a JAVA applet. It would have been obvious to one of ordinary skill

in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since the end user is provided with data on a commonly utilized medium.

As per claim 29, Huegel discloses a self-service ticket selection method as addressed above. Huegel further discloses that the method comprises:

- accepting payment information at the server sufficient to permit access to the specific client reference (col. 9, line 50 – col. 10, line 15);
- conducting an electronic payment transaction (col. 9, line 50 – col. 10, line 15); and
- providing an electronic receipt (FIG. 5, printing of tickets).

As per claim 30, Huegel discloses a method comprising:

- requesting information about a venue across a wide area network (WAN) from a client node to be supplied by an unaffiliated server node (col. 7, lines 3-15);
- receiving an indication of specific availability at the client node (col. 8, lines 9-20);
- selecting from a plurality of specific availability options a specific client preference (col. 9, lines 23-33); and
- receiving an indication that the specific client preference has been reserved through the server node (col. 9, lines 18-22).

The Examiner acknowledges that the self-service terminal of Huegel is not “a client node unaffiliated with the server.” However, the Examiner takes Official Notice and asserts that it is well known in the art to provide the same services of a self-service terminal on an unaffiliated computer connected to a network to an end user (checking the balance of a savings account via an on-line banking web site instead of at an automated teller machine). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Huegel. The invention of Huegel is enhanced since end users are not limited to the locality of the self-service terminal.

As per claim 31, Huegel discloses a self-service ticket selection method as addressed above. Huegel further discloses that the indication of specific availability includes a graphical representation of at least a portion of a seating chart for the venue, and wherein the graphical representation shows available seats in a first representation and previously sold seats in a second representation (FIG. 4).

As per claim 34, Huegel discloses a self-service ticketing method as addressed above. Huegel further discloses that the method comprises:

- supplying payment information for the specific client preferences (col. 9, line 50 – col. 10, line 15); and
- receiving an electronic receipt sufficient to permit access to the specific client preference (FIG. 5, printing of receipt).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huegel in U.S. Pat. No. 5,239,480 as applied to claim 24 above, and further in view of Merrill et al. in U.S. Pat. No. 5,333,257.

As per claim 25, Huegel discloses a self-service ticket selection method as addressed above. However, Huegel does not disclose that the method further comprises:

- retrieving from a database an image showing a view from a seat indicated by the client preference; and
- transmitting the image to the client.

Merrill et al. disclose a system for displaying selected assembly-facility seating views that comprises the steps of:

- retrieving from a database an image showing a view from a seat indicated by the client preference (col. 2, line 63 – col. 3, line 19); and
- transmitting the image to the client (col. 3, lines 20-25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Merrill et al. into the invention of Huegel. The invention of Huegel is enhanced since more data is provided to the end user when the end user is deciding whether or not to buy the tickets.

10. Claims 28, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huegel in U.S. Pat. No. 5,239,480, Merrill et al. in U.S. Pat. No. 5,333,257, and Bricklin in U.S. Pat. No. 5,621,430.

As per claim 28, Huegel discloses a self-service ticket selection method as addressed above. However, Huegel does not disclose linking the representation of a seat to an image of an image of a view from that seat. Merrill et al. disclose a system for displaying selected assembly-facility seating views (col. 2, line 63 – col. 3, line 25). Bricklin discloses linking a representation of a seat to more detailed information about that seat (col. 16, line 51 – col. 17, line 4). It would have been obvious one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Merrill et al. and Bricklin into the invention of Huegel. The invention of Huegel is enhanced since more data is provided to the end user when the end user is deciding whether or not to buy the tickets.

As per claim 32, Huegel discloses a self-service ticket selection method as addressed above. However, Huegel does not disclose that selecting comprises clicking on a desired seat. Bricklin discloses a selection process that comprises clicking on a desired seat (col. 16, line 51 – col. 17, line 4 and FIG. 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bricklin into the invention of Huegel. The invention of Huegel is enhanced since more data is provided to the end user when the end user is deciding whether or not to buy the tickets.

As per claim 33, Huegel discloses a self-service ticket selection method and Bricklin discloses a selection process that comprises clicking on a desired seat as addressed above. However, Huegel does not disclose receiving an image of a view from the desired seat responsive to the clicking. Merrill et al. disclose the step of receiving an image of a view from the desired seat (col. 2, line 63 – col. 3, line 25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Merrill et al. into the invention of Huegel. The invention of Huegel is enhanced since more data is provided to the end user when the end user is deciding whether or not to buy the tickets.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Jafri et al. teach reservation software employing multiple virtual agents.
- Goheen teaches an electronic ticketing and reservation system and method.

- Dalnekoff et al. teach a computerized system with means to automatically clear and sell wait-listed customer reservations.
- Bisdikian et al. teaches an automated matching, scheduling, and notification system.
- Carter teaches a method and apparatus for performing computer-based on-line commerce using an intelligent agent.
- O'Toole teaches ticket package management software.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie K. Nguyen whose telephone number is 703-306-5540. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Leslie K. Nguyen
January 12, 2001


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